

Exhibit A

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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IN RE CLARA MOUSSA BOUSTANY :
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For an Order Pursuant to 28 U.S.C. § 1782 to : 23 Misc. 203 (LGS)
Conduct Discovery for Use in a Foreign Proceeding :
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[FADI BOUSTANY'S PROPOSED] PROTECTIVE ORDER

WHEREAS, on June 16, 2023, Petitioner Clara Moussa Boustany (“Petitioner”) filed an *ex parte* application for discovery pursuant to 28 U.S.C. § 1782 (the “Petition”), requesting to issue subpoenas to Respondents J.P. Morgan Private Bank and J.P. Morgan Chase & Co. (collectively, “JPM”);

WHEREAS, the basis for the Subpoenas is the use of the subpoenaed information in a proceeding in Monaco wherein Fadi Boustany (“Fadi”) summoned Petitioner before the Court of First Instance (the “Monegasque Court”) to request a divorce and have the consequences of divorce fixed (the “Monegasque Divorce Proceeding”);

WHEREAS, the Monegasque Divorce Proceeding is still pending before the Court of First Instance;

WHEREAS, the judge in the Monegasque Divorce Proceeding has appointed an expert, Mr. Munoz, to handle documentation from Fadi and Petitioner concerning their income and assets;

WHEREAS, on November 3, 2023, this Court ordered Petitioner to serve the Petition and its accompanying documents on JPM and Fadi;

WHEREAS, on December 12, 2023, Fadi filed his objection to Petitioner's application for the reasons contained in his opposing papers;

WHEREAS, this Court has granted Petitioner's application pursuant to the terms of the Court's order resolving Petitioner's application;

IT IS HEREBY ORDERED, pursuant to 28 U.S.C. § 1782 and Rule 26(c) of the Federal Rules of Civil Procedure that:

- 1) All documents and information produced by JPM in response to the § 1782 Subpoenas (the "Subpoenaed Information") shall not be used by any person for any purpose other than proving or rebutting any claim, issue, argument or defense directly raised in only the Monegasque Divorce Proceeding.
- 2) If it is to be used in the Monegasque Divorce Proceeding, any Subpoenaed Information shall first be submitted to Mr. Munoz, the expert appointed by the judge in the Monegasque Divorce Proceeding, consistent with the Monegasque Court's prior orders in the Monegasque Divorce Proceeding. The Subpoenaed Information may then be filed with the Monegasque Court only if permission is first expressly granted by the judge overseeing the Monegasque Divorce Proceeding. Any filing of Subpoenaed Information with the Monegasque Court must be under seal in compliance with the procedures as established in the Monegasque Divorce Proceeding.
- 3) Subject to compliance with Paragraph 2, the Subpoenaed Information may be disclosed only to:
 - (a) Petitioner and Fadi, the parties to the Monegasque Divorce Proceeding;
 - (b) counsel for Petitioner and Fadi in this proceeding (including their paralegal, technical, secretarial, and clerical personnel) (collectively, "U.S. Counsel");
 - (c) counsel for Petitioner and Fadi who are engaged in representing those parties in the Monegasque Divorce Proceeding, including the paralegal,

technical, secretarial and clerical personnel who are actually engaged in assisting such counsel (collectively, "Monegasque Counsel");

- (d) the courts presiding over the Monegasque Divorce Proceeding, including their clerical personnel and any experts they appoint (including Mr. Munoz);
- (e) outside vendors providing photocopying, litigation support services, translation services, or electronic discovery review platforms who are engaged by U.S. Counsel or Monegasque Counsel to assist in this proceeding or the Monegasque Divorce Proceeding;
- (f) other persons as ordered by this Court or the Monegasque Courts, provided that such order is made on notice to Fadi.

4) If Petitioner is to file any Subpoenaed Information with a court in Monaco (pursuant to compliance with Paragraphs 2 and 3 above), the Subpoenaed Information shall be filed under seal pursuant to the procedures as established in the Monegasque Divorce Proceeding.

5) A violation of this Protective Order by means of Petitioner revealing Subpoenaed Information to unauthorized third parties (as determined by this Protective Order) will result in the right of Fadi to seek monetary damages against Petitioner, in an amount to be determined by an analysis of the factors surrounding such violation, including the scope of the violation, the substance of the underlying Subpoenaed Information, and the third parties said information was inappropriately disclosed to. This Court retains jurisdiction to enforce this provision, though Fadi may move before any competent court or tribunal as is appropriate to enforce this provision of the Protective Order. The Court's jurisdiction over this provision does not grant either party any further rights, or subject them to further jurisdiction, within this district or elsewhere, except as it relates to enforcement of this provision.

6) The parties acknowledge that the Court retains discretion as to whether, in

Orders and Opinions, to afford confidential treatment to information that the parties have redacted, sealed or designated as confidential.

SO ORDERED,

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Dated: _____
New York, New York